

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A data distribution system comprising:

a reproducing apparatus for reproducing content data distributed from a first mounted recording-medium;

a recording apparatus for recording [[said]] the reproduced content data on a second mounted recording-medium;

an examining means for examining usage space information of the content data recorded on the recording medium mounted in said reproducing apparatus, the first recording medium mounted in said reproducing apparatus, [[said]] the reproducing apparatus, the second recording medium mounted in said recording apparatus, and [[said]] the recording apparatus; and

a controller controlling means for controlling transfer of [[said]] the content data from [[said]] the first recording medium mounted in said reproducing apparatus to [[said]] the second recording medium mounted in said recording apparatus based on the result of [[said]] the examination;

wherein [[said]] the usage space information indicates system information of [[said]] the recording apparatus and [[said]] the reproducing apparatus, ownership right information of [[said]] the content data, format information of [[said]] the content data,

and distributing profit information obtained by the distribution of [[said]] the content data, and

wherein [[said]] the examining means[[;]]:

examines whether [[said]] the content data is of a first type which is distributed in an encrypted state or of a second type which is distributed in an unencrypted state,

examines whether [[said]] the first recording medium is of a first type having a configuration enabling recorded data to be effectively read out by performing authentication processing or of a second type having no such configuration and enabling read out of the recorded data without authentication,

examines whether [[said]] the reproducing apparatus is of a first type for reproducing after the authentication processing or of a second type for reproducing without [[that]] the processing, and

examines whether [[said]] the recording apparatus is of a first type for recording after the authentication processing or of a second type for recording without [[that]] the processing.

2. (Canceled)

3. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller ~~said controlling means~~ disables the reproduction when [[said]] the usage information indicates that the content data is of [[said]] the first type, the first recording medium ~~mounted in the reproducing apparatus~~ is [[said]] the second type of

recording medium, and [[said]] the reproducing apparatus is [[said]] the second type of reproducing apparatus.

4. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means disables the reproduction when that the content data is of [[said]] the first type, the first recording medium mounted in the reproducing apparatus is [[said]] the second type of recording medium, and [[said]] the reproducing apparatus is [[said]] the first type of reproducing apparatus.

5. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means enables the reproduction when [[said]] the usage information indicates that the content data is of [[said]] the second type, the first recording medium mounted in the reproducing apparatus is [[said]] the second type of recording medium, and [[said]] the reproducing apparatus is [[said]] the second type of reproducing apparatus.

6. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means enables the reproduction when [[said]] the usage information indicates that the content data is of [[said]] the second type, the first recording medium mounted in the reproducing apparatus is [[said]] the second type of recording medium, and [[said]] the reproducing apparatus is [[said]] the first type of reproducing apparatus.

7. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller ~~said controlling means~~ disables the reproduction when [[said]] the usage information indicates that the content data is of [[said]] the first type, the first recording medium ~~mounted in the reproducing apparatus~~ is [[said]] the first type of recording medium, and [[said]] the reproducing apparatus is [[said]] the second type of reproducing apparatus.

8. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller ~~said controlling means~~ enables the reproduction when [[said]] the usage information indicates that the content data is of [[said]] the first type, the first recording medium ~~mounted in the reproducing apparatus~~ is [[said]] the first type of recording medium, and [[said]] the reproducing apparatus is [[said]] the first type of reproducing apparatus.

9. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller ~~said controlling means~~ enables the reproduction when [[said]] the usage information indicates that the content data is ~~content data of~~ [[said]] the second type, the first recording medium ~~mounted in the reproducing apparatus~~ is [[said]] the first type of recording medium, and [[said]] the reproducing apparatus is [[said]] the second type of reproducing apparatus.

10. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller ~~said controlling means~~ enables the reproduction when [[said]] the

usage information indicates that the content data is of [[said]] the second type, the first recording medium-mounted in the reproducing apparatus is [[said]] the first type of recording medium, and [[said]] the reproducing apparatus is [[said]] the first type of reproducing apparatus.

11. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means disables the recording when usage information indicates that the content data is content data of [[said]] the first type, the second recording medium mounted in the recording apparatus is [[said]] the second type of recording medium, and [[said]] the recording apparatus is [[said]] the second type of recording apparatus.

12. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means disables the recording when usage information indicates that the content data is of [[said]] the first type, the second recording medium mounted in the recording apparatus is [[said]] the second type of recording medium, and [[said]] the recording apparatus is [[said]] the first type of recording apparatus.

13. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means enables the recording when [[said]] the usage information indicates that the content data is of [[said]] the second type, the second recording medium mounted in the recording apparatus is [[said]] the second

type of recording medium, and [[said]] the recording apparatus is [[said]] the second type of recording apparatus.

14. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means enables the recording when [[said]] the usage information indicates that the content data is of [[said]] the second type, the second recording medium mounted in the recording apparatus is [[said]] the second type of recording medium, and [[said]] the recording apparatus is [[said]] the first type of recording apparatus.

15. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means disables the recording when that the content data is of [[said]] the first type, the second recording medium mounted in the recording apparatus is [[said]] the first type of recording medium, and [[said]] the recording apparatus is [[said]] the second type of recording apparatus.

16. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller said controlling means enables the recording when [[said]] the usage information indicates that the content data is content data of [[said]] the first type, the second recording medium mounted in the recording apparatus is [[said]] the first type of recording medium, and [[said]] the recording apparatus is [[said]] the first type of recording apparatus.

17. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller ~~said controlling means~~ enables the recording when [[said]] the usage information indicates that the content data is ~~content data of~~ [[said]] the second type, the second recording medium mounted in the recording apparatus is [[said]] the first type of recording medium, and [[said]] the recording apparatus is [[said]] the second type of recording apparatus.

18. (Currently Amended) A data distribution system as set forth in claim 1, wherein the controller ~~said controlling means~~ enables the recording when [[said]] the usage information indicates that ~~said usage information indicates that~~ the content data is ~~content data of~~ [[said]] the second type, the second recording medium mounted in the recording apparatus is [[said]] the first type of recording medium, and [[said]] the recording apparatus is [[said]] the first type of recording apparatus.

19-30. (Canceled)

31. (Currently Amended) A data processing apparatus comprising:
a reproducing apparatus for reproducing content data distributed from a ~~mounted~~ recording medium;
an examining means for examining usage space information of the content data, ~~the recording medium recorded on the recording medium mounted in said reproducing apparatus, a recording medium mounted in said reproducing apparatus, and [[said]] the~~ reproducing apparatus; and

a controller ~~controlling means~~ for controlling the reproduction of the content data from [[said]] the recording medium ~~mounted in~~ ~~said~~ reproducing apparatus-based on results of [[said]] the examination ~~the result of~~ ~~said examination~~;

wherein [[said]] the usage space information indicates system information of ~~said recording apparatus and said~~ the reproducing apparatus, ownership right information of [[said]] the content data, format information of [[said]] the content data, and distributing profit information obtained by the distribution of [[said]] the content data, and

wherein [[said]] the examining means[[;]]:

examines whether [[said]] the content data is to of a first type which is distributed in an encrypted state or of a second type which is distributed in an unencrypted state,

examines whether [[said]] the recording medium is of a first type having a configuration enabling recorded data to be effectively read out by performing authentication processing or of a second type having no such configuration and enabling read out of the recorded data without authentication, and

examines whether [[said]] the reproducing apparatus is of a first type for reproducing after the authentication processing or a second type for reproducing without [[that]] the processing.

32. (Canceled)

33. (Currently Amended) A data processing apparatus as set forth in claim 31, wherein the controller ~~said controlling means~~ disables the reproduction when [[said]] the usage information indicates that the content data is of [[said]] the first type, the

recording medium ~~mounted in the reproducing apparatus~~ is [[said]] the second type of recording medium, and [[said]] the reproducing apparatus is [[said]] the second type of reproducing apparatus.

34. (Currently Amended) A data processing apparatus as set forth in claim 31, wherein the controller ~~said controlling means~~ disables the reproduction when [[said]] the usage information indicates that the content data is of [[said]] the first type, the recording medium ~~mounted in the reproducing apparatus~~ is [[said]] the second type of recording medium, and [[said]] the reproducing apparatus is [[said]] the first type of reproducing apparatus.

35. (Currently Amended) A data processing apparatus as set forth in claim 31, wherein the controller ~~said controlling means~~ disables the reproduction when [[said]] the usage information indicates that the content data is of [[said]] the first type, the recording medium ~~mounted in the reproducing apparatus~~ is [[said]] the first type of recording medium, and [[said]] the reproducing apparatus is [[said]] the second type of reproducing apparatus.

36-49. (Canceled)

50. (New) A data distribution method for transferring content data from a first medium in a reproducing apparatus to a second medium in a recording apparatus, comprising the steps of:

examining usage space information indicating ownership right information, format information, and distributing profit information of the content data;

examining whether the content data is of a first type which is distributed in an encrypted state or a second type which is distributed in an unencrypted state;

examining usage space information indicating system information of the reproducing apparatus;

examining whether the first medium is of a first type having a configuration enabling recorded data to be read out by performing authentication processing or a second type enabling read out of the recorded data without the authentication processing;

examining whether the reproducing apparatus is of a first type for reproducing after the authentication processing or a second type for reproducing without the authentication processing;

examining usage space information of the second medium;

examining usage space information indicating system information of the recording apparatus;

examining whether the recording apparatus is of a first type for recording after the authentication processing or a second type for recording without the authentication processing; and

controlling the transfer of the content data from the first medium to the second medium based on the result of the examining.